



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Jesse Kim  
1198 Morrill Court  
San Jose CA 95132

In re Application of  
Kim  
Application No. 09/734,278  
Filed: December 10, 2000

Title of Invention: Universal Three-  
Dimensional Graphics View For  
Resource Constrained Mobile  
Computers

**COPY MAILED**

MAR 02 2007

**OFFICE OF PETITIONS**

**DECISION ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b) filed August 30, 2006, to revive the above-identified application.

The petition is **dismissed**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)."

This above-identified application became abandoned for failure to timely file a reply to a non-final Office Action mailed July 16, 2002. The Office Action set a three (3) month shortened statutory period for reply. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, this application became abandoned on October 17, 2002. A Notice of Abandonment was mailed on February 26, 2003.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that "the entire delay in filing the required reply from the due date for the

reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional"; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03 (c)(III)(c) and (D).

The instant petition lacks item (3). The filing of a petition under 37 CFR §1.137(b) cannot be intentionally delayed and therefore must be filed promptly. A person seeking revival due to unintentional delay cannot make a statement that the delay was unintentional unless the entire delay, including the delay from the date it was discovered that the application was abandoned until the filing of the petition to revive under 37 CFR 1.137(b), was unintentional. A statement that the delay was unintentional is not appropriate if petitioner intentionally delayed the filing of a petition for revival under 37 CFR 1.137(b). The application has been abandoned for over three years from the mailing date of the Notice of Abandonment as such petitioner must an additional information regarding the delay.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300

By delivery service:  
(FedEx, UPS, DHL, etc.) U.S. Patent and Trademark Office  
Customer Window, Mail Stop Petition  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Telephone inquiries concerning this matter should be directed to the undersigned at  
(571) 272-3215.

*Charlema R. Grant*

Charlema R. Grant

Petitions Attorney

Office of Petitions

cc: Bao Tran

Tran & Associates

6768 Meadow Vista Court

San Jose, CA 95135